

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

ELISSA ANDERSEN,

Plaintiff,

v.

CAUSE NO.: 2:19-CV-378-TLS-SLC

ANDREW M. SAUL, Commissioner of the
Social Security Administration,

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation of the United States Magistrate Judge [ECF No. 17], filed by Magistrate Judge Susan L. Collins. On October 4, 2019, the Plaintiff filed a Complaint [ECF No. 1] in which she sought to appeal a final administrative decision which denied her request for disability benefits. The matter was referred to Judge Collins for a Report and Recommendation. *See* Order, ECF No. 9. The Plaintiff filed an Opening Brief [ECF No. 13] and the Defendant filed a Response [ECF No. 16], but the Plaintiff did not file a reply. In the Report and Recommendation, Judge Collins recommends that the Court reverse the decision of the Commissioner of the Social Security Administration and remand for further proceedings.

The Court's review of a Magistrate Judge's Report and Recommendation is governed by 28 U.S.C. § 636(b)(1)(C), which provides as follows:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.

The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

28 U.S.C. § 636(b)(1)(C); *see also* Fed. R. Civ. P. 72(b)(2) (“Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.”). Portions of a recommendation to which no party objects are reviewed for clear error. *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). Judge Collins gave the parties notice that they had fourteen days to file objections to the Report and Recommendation. As of the date of this Order, neither party has filed an objection to Judge Collins’s Report and Recommendation, and the time to do so has passed. The Court has reviewed the Report and Recommendation and finds that the Magistrate Judge’s proposed disposition is well taken.

Therefore, the Court ACCEPTS, IN WHOLE, the Report and Recommendation of the United States Magistrate Judge [ECF No. 17]. The Court REVERSES the final decision of the Commissioner of the Social Security Administration and REMANDS this matter for further proceedings consistent with this Order.

SO ORDERED on January 11, 2021.

s/ Theresa L. Springmann
JUDGE THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT